



Policy 4.66 Substance Abuse and Drug-Free Workplace

Responsible Official: VP for Human Resources

Administering Division/Department: Employee Relations

Effective Date: March 30, 2007

Last Revision: December 13, 2017

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Policy Details

Emory University is committed to the health and well-being of its staff, faculty and students. It is widely recognized that alcohol and drug misuse and abuse can be detrimental to one's overall physical and emotional health, academic and/or professional performance, as well as adversely impact family, friends and co-workers. This type of misuse and abuse may also contribute to unsafe practices in the workplace.

As a recipient of federal grants and contracts, Emory adheres to the provisions of the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendment of 1988. Additionally, as an administrator of certain state-funded financial aid programs for students, Emory adheres to Georgia's Drug-Free Postsecondary Educational Act of 1990. Emory has therefore established certain standards for staff, faculty and students pertaining to alcohol and other drugs.

This policy is also designed to convey the University's care and concern for its members and their well-being, given that alcohol and other drug misuse on college campuses is a major public health concern. In order to foster professional and academic achievement, personal success and wellness, and to promote the safety of the community, the University has adopted the following tenets to guide the prevention of alcohol and other drug misuse:

- Emory University complies with and upholds all applicable federal, state, and local laws related to alcohol, illicit drugs and controlled substances. Violations of such laws that come to the attention of University officials may be addressed within the University or reported to law enforcement agencies or other governmental entities, or both.
- The University strives to create an environment that supports individuals who choose not to use alcohol and individuals who choose to use alcohol legally and in moderation. The illegal sale, distribution or use of alcohol on University premises, while performing job-related duties, or while representing the University in an official capacity is not permitted, except as otherwise expressly set forth in this policy.
- The University encourages individuals with prescription medications to safely and legally use such medications in compliance with their prescriptions. The misuse of prescription medication or other controlled substances is not tolerated.
- The sale, distribution or use of illegal drugs on University premises, while performing job-related duties, or while representing the University in an official capacity is not permitted.
- The University seeks to create an environment of personal development and a supportive community. It supports individuals seeking services for alcohol, tobacco and/or other drug misuse and makes confidential services available to them at no cost.

- In instances where individuals are found to be in violation of the University's Alcohol and Drug Abuse Policy, the University's response will stress individual accountability, personal development, and connection to appropriate health services, as well as the effect on impacted parties and the community.
- Emory is a Tobacco-Free Campus. The use or sale of tobacco products, this includes e-cigarettes and vaporizers, in or on Emory- owned or Emory-leased property is prohibited. See Policy 4.113 Tobacco-Free Environment for more information (<http://policies.emory.edu/4.113>), including resources for tobacco cessation.

Emory prohibits the unlawful possession, use, distribution, dispensation or manufacture of illegal drugs on Emory-owned property or at Emory-sponsored activities. Emory further prohibits the possession, use, distribution, dispensation or manufacture of alcohol on Emory-owned property or at Emory-sponsored activities, except as otherwise expressly permitted by this policy. Additionally, Emory holds the expectation that all of its staff, faculty and students, as well as all Emory-sponsored organizations, will comply with all applicable federal, state or local laws pertaining to the use, possession, manufacture or distribution of alcohol or illegal drugs.

Any member of the staff, faculty or student body who violates these standards of conduct and behavior shall be subject to progressive disciplinary actions and penalties. These may include expulsion from Emory academic programs, termination of employment and referral to the appropriate federal, state or local authorities for prosecution in the courts.

Emory further specifies that, as a condition of employment, all of its staff and faculty will: 1) abide by the terms of this policy statement; and 2) notify, as appropriate, their supervisor, administrator, department head, dean or vice president of any criminal drug statute conviction for any violation occurring in the workplace no later than five days after such a conviction.

Violation of this policy will result in disciplinary action, up to and including immediate termination, or, at the University's discretion, an opportunity to participate in and successfully complete an appropriate substance-abuse program in lieu of disciplinary action. Supervisors and managers should consult with Employee Relations on policies related to the implementation of disciplinary or substance-abuse referral procedures.

Applicability

All Emory University full-time, part-time and temporary faculty, staff, and students are hereby notified that this policy will apply to all activities conducted on University-owned or leased property and to all other University-sponsored events. This policy is distributed annually to all Emory University faculty, staff, and students.

Emory University permits the purchase and use of alcoholic beverages with University funds under certain conditions but expects individuals and organizations to take measures to prevent alcohol and drug misuse. To the extent the University approves the serving of alcohol at a University-sponsored event, faculty and staff members may consume alcohol at that event in moderation without violating this policy. The University expects that individuals and organizations will take responsibility for complying with the policy as outlined. This policy provides minimum expectations regarding alcohol and other drug prevention and services; individuals and organizations are encouraged to utilize best practices and to develop additional steps to support community safety.

Substance Use

The use of illegal drugs on Emory premises or in Emory-owned or leased vehicles is prohibited and will result in disciplinary action up to and including termination. Faculty and staff are discouraged from the use of illegal substances at any time. Use of illegal substances or abuse of legal substances off work time, that results in impairment at work, will result in disciplinary action or, at the discretion of the University, an opportunity to participate in and successfully complete an appropriate substance-abuse program.

The use of alcohol at work is not permitted (except under certain circumstances as specified above) and alcohol consumption off work, which results in impairment at work, will result in action described in the Impairment Section below.

Faculty and staff who are taking legally prescribed and/or over-the-counter medications and report to work impaired to an extent that it affects job performance, safety or the efficient operation of work will be subject to action described in the Impairment Section below.

Alcohol on the Breath

Having alcohol on the breath at work raises questions concerning a faculty or staff member's competence and will not be tolerated for any faculty or staff members working in safety-sensitive positions (e.g., driving a motor vehicle, rendering animal care, etc.). Additionally, other select work areas may prohibit alcohol on the breath. Faculty and staff should check with a supervisor regarding the application of this policy in their work areas.

Impairment

The direct supervisor is responsible for taking appropriate action when a faculty or staff member demonstrates impairment.

The supervisor is requested to utilize the [Impairment Checklist](#) in determining evidence of impairment. The focus of the checklist is on impairment behavior and is not utilized for any diagnostic purposes.

Upon evidence of impairment, the supervisor should follow the steps delineated below:

1. **DOCUMENT** the observed behaviors, preferably with another supervisor present. A completed, signed, and dated [Impairment Checklist](#) can serve as documentation.
2. **CONFRONT** the faculty/staff member in private about the observed behaviors and convey to the individual that in the supervisor's judgment, he/she appears to be impaired.
3. **DO NOT** allow the faculty/staff member to continue to work or return to work until cleared by the Faculty Staff Assistance Program (FSAP) or other designated facilities.
4. **DIRECT** or **Transport** (to ensure safety of the employee) the faculty/staff member as soon as possible to FSAP or a designated facility for assessment and evaluation.
5. **CONTACT** Employee Relations to apprise them of this situation and seek consultation.

Employee Relations, FSAP and the supervisor will consult promptly to determine the best immediate course of action for the employee (e.g., transport to FSAP or another facility). If a leadership-facilitated referral is made to FSAP, the employee will be asked to sign a release of information form to authorize FSAP to exchange appropriate information with the referring resources. Thereafter, Employee Relations and FSAP will consult regarding the referral of an allegedly impaired employee. Consultations will also occur if the faculty/staff member is not cleared to return to work.

There are occasions when for-cause alcohol or drug testing will be requested of the employee. This type of request is discussed during the consultation with Employee Relations, FSAP and the supervisor who has documented impairment behavior.

<p>NOTE: Falls, slips or injuries could be an indication of impairment. Leaders who have concern about faculty or staff should consult with FSAP and Employee Relations for direction in managing their staff safely.</p>
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Resources for Education, Consultation and Counseling

The University sponsors several programs that provide information and professional services for its faculty, staff and students on matters related to the misuse and abuse of alcohol and drugs. These programs provide education, consultation, assessment, counseling and referral in a professional environment that respects individual confidentiality and integrity. The University maintains the [Faculty Staff Assistance Program](#) (FSAP) (404.727.4328) for faculty, staff and their immediate household family members who are benefits eligible. A brief description of FSAP follows. Please visit FSAP's website (www.fsap.emory.edu) for additional information.

EMORY FACULTY STAFF ASSISTANCE PROGRAM (FSAP)

The Emory Faculty Staff Assistance Program (FSAP) provides confidential, professional services for staff, faculty and leadership regarding the abusive effects of alcohol and other drugs. These services, which are provided at no cost, include education, consultation, assessment, counseling, the provision of referral resources, and clinical case management. Use of FSAP does not jeopardize an individual's employment or opportunities for promotion. Faculty and staff members are encouraged to seek assistance from FSAP before alcohol and drug problems lead to on-the-job impairment.

Clinical assessment can certify an individual's need to be placed on leave from work based on a Fitness-for-Duty Evaluation, which is coordinated by FSAP. FSAP clinicians will work in collaboration with Employee Relations to coordinate the leave.

Leadership-facilitated Referrals

If a faculty or staff member demonstrates impairment behavior, a leadership-facilitated referral to FSAP will occur. The supervisor will consult Employee Relations about this referral, which may result in a fitness-for-duty evaluation. In addition, the supervisor, Employee Relations and FSAP will utilize a triage team approach at the time of the referral to review the documented impairment behaviors and determine appropriate next steps.

FSAP or a designated facility will determine whether or not a faculty or staff member is impaired and will consult with Employee Relations on next steps. With leadership-facilitated referrals, authorization from the employee for the release of information from FSAP will be discussed when the initial referral is made. Next steps after the initial assessment may

entail a comprehensive fitness-for-duty evaluation, intensive treatment, etc. These types of intervention may necessitate an employee's absence and/or restrictions from work, which may require leave time. Please note that no specific health information will be released without the faculty/staff member's authorization to do so.

If a faculty/staff member is impaired at work, it may be necessary to transport this individual to the nearest emergency room for immediate medical attention or safety procedures, including a comprehensive evaluation and treatment recommendations, and a return-to-work assessment, if the staff member is eligible to return. The faculty/staff member should not be allowed to drive a vehicle during this transport.

Emory recognizes substance abuse as a treatable condition. Faculty/staff with this problem will normally be encouraged to participate in an appropriate treatment program. FSAP is available to assist faculty and staff with referrals and the development of a rehabilitation and long-term follow-up plan.

Alcohol and Drug Awareness Programs

Periodically Emory will inform faculty, staff and students about the dangers of drug and alcohol abuse in the workplace, its policy of maintaining a drug-free workplace, available drug counseling, rehabilitation and the Faculty Staff Assistance Program, as well as penalties that may be imposed for drug or alcohol abuse violations.

Related Links

- Current Version of This Policy: <http://policies.emory.edu/4.66>

Forms and Attachments

Impairment Checklist : [download](#)

Contact Information

Subject	Contact	Phone	Email
Associate Vice President	Del King	404-727-7567	dking2@emory.edu

Revision History

- Version Published on: Jul 05, 2012
- Version Published on: Jul 05, 2012
- Version Published on: Jun 20, 2007 (*Original Publication*)

Emory University policies are subject to change at any time. If you are reading this policy in paper or PDF format, you are strongly encouraged to visit policies.emory.edu to ensure that you are relying on the current version.